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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,084	02/20/2001	Christophe Basso	ONS00091	6193

7590 03/09/2004  
Robert D. Atkins  
Semiconductor Components Industries, LLC  
Patent Administration Dept - MD A230  
P.O. Box 62890  
Phoenix, AZ 85082-2890

EXAMINER
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RJOS CUEVAS, ROBERTO JOSE

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/785,084

Applicant(s)

BASSO, CHRISTOPHE

Examiner

Roberto J Rios

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 30-34 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-24 is/are allowed.
- 6) ☒ Claim(s) 1-18 and 25-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2/01;7/01 . 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 30-34 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the Response to Election Requirement filed on 10/27/2003.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1, 9, and 25 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The preamble of the claims recites a control circuit or a method for controlling a first power supply but there are no limitations in the claims for controlling said first power supply. Instead, the claims recite limitations directed to control a second power supply.
4. The following art rejection will be made as best understood by the Examiner in light of the above 35 USC 112 rejections.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 25 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldys et al (US patent 6,067,506).

As per claim 1, Goldys et al (herein after Goldys) teach a control circuit for controlling a first power supply, comprising: an input for coupling to a temporary load; and an output for coupling to a second power supply (14) wherein, in response to the coupling to the temporary load for a predetermined time period, a signal is provided to control the second power supply (col. 2, line 26).

As per claim 25, Goldys teaches a method of operating a first power supply, comprising applying a temporary load to the first power supply to provide a signal for controlling a second power supply (col. 2, line 26).

As per claim 29, Goldys teaches the signal being provided to shut down the second power supply (col. 2, line 26).

7. Claims 9, 10 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Pollmeier et al (US patent 5,698,908).

As per claim 9, Pollmeier et al (herein after Pollmeier) teach a control circuit for controlling a first power supply, comprising: a first control input for receiving a feedback signal (Uz); a first comparator (12) for generating, responsive to the feedback signal, a compare signal having a first state and a second state; and a first control output (E) for providing a control signal to a second power supply (S2), wherein the control signal changes state in response to the compare signal being in the first state for a time period exceeding a reference time period (col. 4, line 34+).

As per claim 10, Pollmeier teaches a feedback circuit having an output for providing the feedback signal; a second control input (node at R5) for coupling to a power circuit to receive a signal indicative of the current supplied to the power circuit, wherein an output of the power circuit is coupled to an input of the feedback circuit; and a second control output (UR) for coupling to the power circuit to control the current supplied to the power circuit.

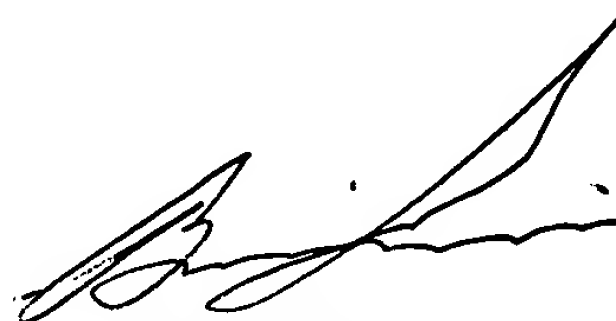
As per claim 18, Pollmeier teaches the control signal being provided to a second power supply for switching the second power supply on and off (col. 4, line 55).

***Allowable Subject Matter***

8. Claims 19-24 are allowed.
9. Claims 2-8, 11-18, and 26-28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
10. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach or fairly suggest a control circuit for controlling a second power supply and a method comprising coupling a temporary load to a first power supply through a feedback circuit and a comparator to provide a signal for controlling said second power supply as in the combination of elements recited in claims 2, 3, 11, 15, 19 and 26, respectively.
11. Art of general nature relating to power control has been cited for applicant's review.

**Communication with PTO**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Rios whose telephone number is (703) 306-5518. After January 28, 2004, the Examiner's new telephone number will be (571) 272-2056. In the event that Examiner Rios cannot be reached, his supervisor, Brian Sircus may be contacted at (703) 308-3119. The fax number for Before-Final communications and After-Final communications is (703) 872-9306.



BRIAN SIRCUS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

Roberto J. Rios  
Patent Examiner